Mr P Devonport
Worthing Borough Council
Planning Policy
Portland House Richmond Road
Worthing
West Sussex
BN11 1LF

Our ref: SX/2007/102898/01-L01
Your ref: WB/07/1078/FULL

Date: 09 November 2007

Dear Mr Devonport

DEMOLITION OF 28 & 30 MARINE DRIVE AND THE ERECTION OF 8 RESIDENTIAL UNITS AND UNDERGROUND CAR PARKING.
28 & 30 MARINE DRIVE, WORTHING

Thank you for your consultation regarding the above which was received on 15 October. Please quote our reference number on any correspondence.

We have the following comments to make:

Flood Risk

We are very concerned that the development will exacerbate flood risk to neighbouring properties, as described below.

The developer's Flood Risk Assessment (FRA) identifies that general land levels in the vicinity of the site are below the 5.5 metres above Ordnance Datum (m AOD) 0.5% annual probability extreme tide level predicted in 2115. This date corresponds to the approximate lifetime of new dwellings. Surface water sewers run though the land. The land forms a local low point. These things indicate a strong potential for the local low area to flood by a combination of waves overtopping tidal defences, the sea breaching these defences, and surface water drainage affected by tide locking . The duration of this flooding could be long, as the sewer is the only drainage outfall. The FRA does not quantify the maximum level of this flooding, and indeed it gives no ground levels, development levels or tidal defence details. This lack of detail is a significant shortcoming.

In order to protect the development from this type of flooding, the developer proposes a perimeter wall to exclude floodwater. The habitable floors and basements would flood if the wall was omitted.

If the low lying area were to flood, this perimeter wall would displace floodwater and could increase the depth of flooding to neighbours. This would be unsatisfactory.

Additional measurements and calculations by the developer might prove that the depth of flooding is small, and flood displacement is not an issue. However, in the absence of such proof, **we recommend that you take the precautionary approach and not grant permission until the level of flooding before and after the development is properly estimated.** This estimate would serve also to confirm the appropriate level of the perimeter wall or the minimum level of the habitable rooms. Omitting the wall and raising the development is preferred as this removes the need to ensure the wall and its flood gates are maintained in perpetuity.

Government policy on flooding, as set out in Planning Policy Statement 25 - "Development and Flood Risk" (PPS25) restricts our ability to object in this case. We request, however, that your Local Planning Authority (LPA) takes our concerns into account when determining the application.

Protection of Controlled Waters

We have assessed the information provided on this site and have determined that any risks associated with potential land contamination are likely to be low with respect to Controlled Waters. As a direct consequence of this we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

If circumstances change or other information comes to light that may affect this decision, please contact us again.

The LPA should ensure the principles of Planning Policy Statement 23 – "Planning and Pollution Control" (PPS23) Annex 2: 'Development on Land Affected by Contamination' are followed. This means that all risks from contamination (to human health, buildings and other property, the natural and historic environment) need to be identified so that appropriate action can be taken to address these risks.

We recommend that the applicant:

- Applies the risk- based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follows the guidance in that document so that they can make the best decisions for the site

- Refers to our guidance on requirements for land contamination reports

- Uses BS 10175 2001, *Investigation of potentially contaminated site - Code of Practice* as a guide to undertaking the desk study and site investigation scheme.

- Use MCERTS accredited methods for testing contaminated soils at the site

- Consults our website at www.environment-agency.gov.uk for details.

I trust that the above comments are satisfactory but if you require any further information please contact me.

Cont/d..

Yours sincerely

HELEN TIER
Planning Liaison Officer

[redacted]

cc Strutt & Parker

End